

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No : 000027777

Confirmation No. 1298

In re application of: Wiener et al.

Atty Dkt. Ref.: 2640/1G820-US1
(END0746)

Serial No.: 09/975,127

Group Art Unit: 3731

Filed: April 4, 2001

Examiner: D. Erez

Title: APPARATUS AND METHOD FOR ALERTING GENERATOR FUNCTIONS
IN AN ULTRASONIC SURGICAL SYSTEM

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR §1.137(b)**

Dear Sir:

Applicants respectfully submit that the entire delay in filing the required reply until the filing of a petition pursuant to 37 CFR §1.137(b) was unintentional and hereby petition for the revival of the above-identified application.

A Final Office Action in this case was mailed on February 24, 2006. The undersigned attorney for the Applicants became aware that the above-referenced application was abandoned on Friday, September 22, 2006 upon receipt of a telephone call from the Examiner Erez. This petition to revive is being timely filed as a result of such notification. An Amendment After Final is enclosed with this Petition.

A terminal disclaimer is not required since the application was filed after June 8, 1995.

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The Commissioner is hereby authorized to charge the petition fee of \$ 1,500.00 (1.17m), and any additional fees, which may be required, to Account No. 10-0750/END-0746/VEK.

Respectfully submitted,

/Verne E. Kreger, Jr., Reg. #35231/
Verne E. Kreger, Jr.

Verne E. Kreger, Jr.
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DATED: October 17, 2006